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September 19, 2017

VIA ELECTRONIC FILING

Secretary Marlene H. Dortch
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters (IB Docket No. 16-408)

Space Norway AS, Petition for a Declaratory Ruling Granting Access to the U.S. Market for the Arctic Satellite Broadband Mission (IBFS File No. SAT-PDR-20161115-00111)

Dear Ms. Dortch:

Space Norway AS ("Space Norway"), by its attorneys, respectfully submits this *ex parte* letter in connection with the draft Report and Order and Further Notice of Proposed Rulemaking¹ that the Federal Communications Commission (the "FCC" or the "Commission") proposed on September 7, 2017, in the context of the currently ongoing rulemaking proceeding relating to the

¹ See *Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Systems and Related Matters*, FCC-CIRC1709-04, public draft Report and Order and Further Notice of Proposed Rulemaking, available at https://apps.fcc.gov/edocs_public/attachmatch/DOC-346584A1.pdf (the "Report and Order").

rules and policies governing non-geostationary satellite orbit (“NGSO”), Fixed-Satellite Service (“FSS”) systems.² Space Norway commends the Commission for its efforts to update, clarify, and streamline its rules to facilitate the deployment of NGSO FSS systems.

Space Norway supports most of the revisions to the FCC’s Rules that the Commission has proposed in the draft Report and Order. In particular, Space Norway agrees with the Commission’s decision to eliminate the global coverage requirement that requires NGSO FSS systems that operate in the 10.7-14.5 GHz, 18.8-19.3 GHz, and 28.6-29.1 GHz bands to provide service worldwide for at least 18 hours every day.³ This requirement hinders innovation and imposes unreasonable restrictions on the service objectives of all NGSO FSS satellite operators. For example, Space Norway’s proposed Arctic Satellite Broadband Mission (the “ASBM”) is a regional system, intended to serve (as its name implies) the Arctic region, not the world; this region (including Alaska) badly needs the kind of broadband services that the ASBM would offer, but could not provide if the global coverage requirement were to be maintained. Eliminating the global coverage requirement will provide NGSO FSS satellite operators with the design flexibility that they need to meet market standards and customer demands.

Additionally, Space Norway supports the Commission’s proposals in connection with spectrum sharing among NGSO FSS systems. Coordination in good faith between operators is the best way to obtain efficient use of the spectrum. In a case in which agreement between operators cannot be achieved, we support the FCC’s solution of band segmentation. This will provide the necessary incentive for all parties to come to the best sharing solution and secure competition.

Finally, Space Norway appreciates the Commission’s support of Space Norway’s position that the U.S. domestic coverage requirement may not be appropriate for all NGSO FSS systems. In this regard, Space Norway supports the Commission’s proposal to remove this requirement for NGSO FSS systems operating in all permitted spectrum bands, and looks forward to providing comments in response to the questions that the Commission expects to pose in the Further Notice of Proposed Rulemaking, after the Further Notice is published in the Federal Register.

Respectfully submitted,

/s/ Phillip L. Spector

Phillip L. Spector
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² *Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters*, 31 FCC Rcd. 13651 (2016).

³ 47 CFR §§ 25.145(c)(1), 25.146(i)(2).